



## North County Watch

Looking Out Today For Tomorrow

Delivered via email to:  
Secretary of the Board, Susan Baker  
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From Susan Harvey  
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December 15, 2008

Board of Supervisors  
County of San Luis Obispo  
New County Government Center  
1055 Monterey Street, Suite D-430  
San Luis Obispo, CA 93408

Subject: Board Hearing, December 16, Item C-7  
Continued from November 25  
Conditional Use Permit DRC2006-00039 (Viborg)  
Sand and Gravel Mine (Estrella River)  
APN# 027-191-047

Chairman Patterson and Honorable Supervisors:

North County Watch wishes to be sure that the record includes this letter and referenced documents:

### **Allegations**

The Board in September (September 16, 2008, D-2) received and filed a report concerning allegations from sand mining applicants.

On August 5<sup>th</sup> six individuals associated with five mining proposals spoke to the Board of Supervisors during public comment. These individuals made a number of accusations. These ten (10) accusations were dispelled in Attachment A – Detailed Response to

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Allegations by Applicants Requesting Permits for In-Stream Mining Operations. [Staff Report p. 5-14]

**Environmental Impact Report**

Also addressed in the September report you received and filed, were agency reports challenging the applicant's expert reports, Attachment C-G. [Staff Report p. 16-43] Under these circumstances the challenge established "Fair Argument" that can only be resolved with an Environmental Impact Report. [Staff Report p. 4]

**Salinas River Watershed Management Plan**

The Planning Commission recommended a Management Plan for the watershed "to address the conflicts between residential, agricultural, biological resources and mining activities while recognizing the need for a local supply of sand and gravel materials". There are currently in process five sand mining applications in the north county area of the Salinas River watershed. [Attachment B, Staff Report p.15 and Attachment H, Staff Report p. 44-49]

In addition, see enclosed letter dated 26 August 2008 from Michael Jencks to the Planning Commission.

**Reclamation Plan**

No approved Reclamation Plan exists. Without an approved Plan, it is impossible to correctly assess the adequacies of any environmental report. For this reason alone, the Mitigated Negative Declaration should not be accepted and hearing this application is premature.

**Request for Review**

In accordance with county ordinance and in a timely manner, 11 Requests for Review were filed. These requests have not been agendaized for public discussion nor has appropriate resolution of the issues contained within these Requests been addressed.

North County Watch thanks you for placing the letter and materials into the record.

Sincerely,

Susan Harvey

Enclosure: Letter dated 26 August 2008 from the Law Offices of Michael R. Jencks to Planning Commission